IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

AOITE ATTITIE	DIVIDION	
1:22-cv-00134	I-MOC-WCM	
SYLVIA RENFROE,)	
·)	
Plaintiff,)	ORDER
v.)	
)	
DOLLAR TREE STORES, INC.)	
)	
Defendant.)	
)	

This matter is before the court on a Motion to Compel Arbitration and to Stay Proceeding (Doc. 3) filed by Plaintiff.

The brief Motion states that "[t]he Parties, by and through their respective counsel, hereby stipulate that the Parties previously entered into an enforceable Arbitration Agreement...which requires arbitration of the instant action" and that "Plaintiff stipulates that this matter should be compelled to arbitration, and that the instant action should be stayed pending arbitration." Doc. 3.

However, the Motion is signed only by Plaintiff's counsel. Further, Defendant has not made an appearance in this matter through counsel and as the Motion is not accompanied by a certificate of service, the identities of any opposing counsel are not shown on the record and it is not apparent that any such attorneys have received appropriate notice of the Motion.

Accordingly, the Motion to Compel Arbitration and to Stay Proceeding (Doc. 3) is **DENIED WITHOUT PREJUDICE**.

It is so ordered.

Signed: July 25, 2022

W. Carleton Metcalf

United States Magistrate Judge